



**AGENDA**  
**KERSHAW COUNTY COUNCIL MEETING**  
**MARCH 22, 2022 ~ 5:30 P.M.22**  
**COUNTY COUNCIL CHAMBERS / KERSHAW COUNTY GOVERNMENT CENTER**  
**515 Walnut Street, Camden, SC 29020**

**Call to Order**

**Invocation/Pledge of Allegiance**      Chairman Julian Burns

**Public Comments**

**Adoption of Agenda**

**Approval of Minutes**      March 8, 2022 .....A

**New Business**

1. Donation to KC Robotics Team
2. Procedures for the Bailey Bill Implementation .....B  
(placed on the agenda by Councilman Connell)

**Council Briefings**

**Administrator's Briefing**

**Legal Briefing**

**Executive Session**

(Executive Sessions may be called at any time and action may possibly be taken on issues discussed in Executive Session after Council reconvenes.)

**Adjournment**

This institution is an equal opportunity provider and employer. The public may access the internet as a guest through the County's Wi-Fi and locate the agenda on the County website.: [www.kershaw.sc.gov](http://www.kershaw.sc.gov)

**PUBLIC COMMENT GUIDELINES**  
(Amended by Kershaw County Council, August 12, 1997)

1. Public Comment:
  - > is an opportunity for members of the public to share information with Council
  - > is not a time for debate with or questions and answers from Council
  - > is a time for Council to receive input
  - > is not a time for Council responseIn short, during Public Comment Council will LISTEN to public comment, but not COMMENT on public comment.
2. Offensive and inappropriate comments will not be tolerated and comments should be limited to statements and rhetorical questions.
3. If a group would like to speak to Council, we request that a spokesperson be selected and that this person indicate the group he/she is representing on the sign-up sheet and in his/her comments.
4. Public comment is a time to discuss issues, not individuals. Other avenues exist for individual personnel complaints.
5. Public comment period is limited to 30 minutes with 5 minutes maximum allowed per individual speaker.

**PUBLIC HEARING GUIDELINES**  
(Amended by Kershaw County Council, January 28, 2020)

1. Prior to the public hearing persons wishing to speak should sign up to speak.
2. Immediately prior to the public hearing, it shall be announced that persons wishing to speak must identify that they wish to speak.
3. When the public hearing is opened, that persons be notified as to how many people have signed up, and identified, and in what order.
4. Persons will speak in the order in which they signed up, and identified, and in the order they have identified themselves as wishing to speak.
5. Each person can speak a maximum of ten minutes.
6. Comments at public hearings should be germane to the matter subject to the public hearing which should be liberally construed.

**PUBLIC PRESENTATIONS GUIDELINES**  
(Amended by Kershaw County Council, January 28, 2020)

These rules may be varied by county council by a single vote at the time of the presentation.

1. A "public presentation" as an agenda item is limited to non-governmental organizations that wish to make requests or present information to County Council involving matters which are within the purview or statutory scope of County Council's authority.
2. A public presentation is limited to no more than three per meeting. The maximum time allotted for a public presentation is 20 minutes. No action is taken by County Council as a result of a public presentation.
3. Governmental entities, agencies of Kershaw County, or boards of Kershaw County can likewise present a public presentation as an agenda item. Governmental entities, agencies of Kershaw County, or boards of Kershaw County or entities that have a contractual relationship with Kershaw County can likewise request to be put on the agenda under New Business.
4. A request to be put on the agenda as a public presentation, or new business (if applicable) shall be accompanied by a written request which shall state the nature of the public presentation and the substantive content of the proposed presentation.
5. Individuals or representatives of organizations that wish to express concerns to County Council or to comment as to public matters are more appropriate to present their concerns or comments during the "public comment" section on the Council agenda.

**Kershaw County Mission**

It is the mission of Kershaw County Council to provide policy leadership, work to ensure adequate resources are available, monitor the consequences of policy decisions and make changes as necessary to ensure goals are being met in order to move the county in the direction of realizing its vision for the future.

**Kershaw County Values**

In meeting the needs of the citizens of Kershaw County, Council will be guided by the values of honesty, transparency, courageous leadership, civility, respect and understanding issues and concerns through active listening.

**Kershaw County Vision**

Kershaw County Government seeks to create an environment in which partnerships between the private and public sectors are developed for the purpose of improving the prosperity and quality of life for our citizens. Kershaw County will foster a climate conducive to increased economic development and improvement of the educational, social and cultural opportunities for our citizens. Kershaw County will provide the leadership to ensure citizen participation in the governance of the county as it works to deliver the highest quality of services in the most cost-effective manner.

The regular meeting of the Kershaw County Council was held on Tuesday, March 8, 2022 at 5:30 p.m. in Council Chambers at the Kershaw County Government Center.

Council Present:	Julian Burns	David Snodgrass	Sammie Tucker, Jr.	Tom Gardner
	Ben Connell			

Via Phone:	Russell Brazell	Jimmy Jones
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Staff Present:	Vic Carpenter	Danny Templar	Merri Seigler	Ken DuBose
	Barry Nelson	Michael Conley	Sheriff Boan	Dennis Arledge
	J. R. Scott			

Members of the public were present.

In accordance with the Freedom of Information Act, copies of the agenda were sent to the newspapers, TV and radio stations, citizens of the county, department heads and posted on the website.

Chairman Burns called the meeting to order and welcomed those in attendance. Councilman Gardner gave the invocation and led the Pledge of Allegiance.

### **PUBLIC PRESENTATIONS**

#### Kershaw County Robotics Team

Mr. Paul Sullivan and Mrs. Beth Jeffers escorted the Robotic Team to the Council Meeting. The Robotics Team demonstrated a portion of their competition requirements.

#### KC Clean Community Commission – Mrs. Wanda Swann

Mrs. Swann introduced the members of the committee and informed the public of the next clean-up on March 19 from 9:00 – 11:00 a.m.

### **PUBLIC COMMENTS**

Mr. Dale Vanderbilt voiced his concerns regarding the sharing of ball fields.

Mr. Tom Webb supports volunteerism. He is concerned about Ukraine.

### **ADOPTION OF AGENDA**

Councilman Gardner motioned to approve the agenda, seconded by Councilman Snodgrass.

In Favor:	Julian Burns	David Snodgrass	Sammie Tucker, Jr.	Tom Gardner
	Russell Brazell	Ben Connell	Jimmy Jones	

### **APPROVAL OF MINUTES**

Vice-Chairman Tucker motioned to approve the minutes of February 22, 2022, seconded by Councilman Gardner.

In Favor:	Julian Burns	David Snodgrass	Sammie Tucker, Jr.	Tom Gardner
	Russell Brazell	Ben Connell	Jimmy Jones	

### **NEW BUSINESS**

#### Goals & Priorities for 2022-23

Vice-Chairman Tucker motioned to amend the Goals and Priorities to move the Staff Development goal listed under Medium Priorities to High Priorities, seconded by Councilman Gardner

In Favor:	Julian Burns	David Snodgrass	Sammie Tucker, Jr.	Tom Gardner
	Ben Connell			
Opposed:	Russell Brazell	Jimmy Jones		

### Airport Commission Appointments

Councilman Connell motioned to nominate Eric Seiberling to replace Gary Philpot with his term expiring on December 31, 2026, seconded by Vice-Chairman Tucker.

In Favor:	Julian Burns	David Snodgrass	Sammie Tucker, Jr.	Tom Gardner
	Russell Brazell	Ben Connell	Jimmy Jones	

Councilman Jones motioned to nominate Michael Borowski to replace Doug Fielding with his term expiring on December 31, 2026, seconded by Vice-Chairman Tucker.

In Favor:	Julian Burns	David Snodgrass	Sammie Tucker, Jr.	Tom Gardner
	Russell Brazell	Ben Connell	Jimmy Jones	

### **COUNCIL BRIEFINGS**

#### Councilman Gardner

Mr. Gardner requested Mr. DuBose clarify some campaign “do’s” and “don’ts” for candidates. He will do so during his legal briefing.

#### Councilman Russell Brazell

None

#### Councilman Jones

None

#### Councilman Ben Connell

Mr. Connell congratulated Taylor Jones for his last year at Winthrop. He requested an update on the Bailey Bill procedures for the next agenda. Mr. Connell commended all the wrestlers in Kershaw County for an outstanding year. He commended the parents and coaches for their support of these athletes.

#### Councilman Snodgrass

Mr. Snodgrass congratulated the Camden High School Lady Bulldogs for their Lower State Championship.

#### Vice-Chairman Tucker

None

#### Chairman Burns

Mr. Burns sent condolences to Mayor Emmons, who is in a leg cast. He encouraged everyone to donate to the Robotics Team’s trip to the National Competition in Houston.

#### Administrator

Mr. Carpenter advised Council the removal of the floating dock has been postponed to March 16-18 due to inclement weather.

#### Legal

Mr. DuBose provided a handout explaining the use of public resources in campaigns.

### **ADJOURNMENT**

Vice-Chairman Tucker motioned to adjourn, seconded by Councilman Connell.

In Favor:	Julian Burns	David Snodgrass	Sammie Tucker, Jr.	Tom Gardner
	Russell Brazell	Ben Connell	Jimmy Jones	

The meeting adjourned at 6:45 p.m.

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Date Approved

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Clerk to Council

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE BY KERSHAW COUNTY COUNCIL ENACTING AND  
ESTABLISHING A SPECIAL PROPERTY TAX ASSESSMENT PROGRAM FOR  
REHABILITATED HISTORIC PROPERTIES**

Be it ordained by the Kershaw County Council, Kershaw County, South Carolina:

**Rehabilitated Historic Properties, Kershaw County Bailey Bill**

**Section 1. Special Tax Assessment Created.**

Pursuant to the authority granted to Kershaw County by S.C. Code §4-9-195, a special tax assessment is created for eligible rehabilitated historic properties for a period of (not more than 20 years) equal to the assessed value of the property at the time of preliminary certification.

**Section 2. Purpose.**

It is the purpose of this Article to:

- (1) Encourage the rehabilitation of historic properties;
- (2) Encourage sound community planning; and
- (3) Promote the general health, safety, and welfare of the community.

**Section 3. Eligible Historic Properties.**

(a) Certification as Historic Property. In order to be eligible for the special tax assessment, historic properties must receive preliminary and final certification.

(1) Preliminary certification. To receive preliminary certification a property must meet the following conditions:

a. The property meets the requirements for historic designation as established in this section.

b. The proposed rehabilitation work receives a recommendation of approval from the appropriate architectural reviewing authority (hereinafter "reviewing authority") and is consistent with the rehabilitation standards as set forth in this article. The reviewing authority shall review all proposed improvements associated with the rehabilitation and make a recommendation to the county regarding the project's eligibility. The approval will be issued to the property owner by the reviewing authority, and a copy will be sent to the county if requested. For the purpose of this article, the reviewing authority shall be defined as follows:

1. In any municipality that has an architectural review board, the municipal board shall serve as the reviewing authority.

2. In the unincorporated areas of the county, and within any municipality that does not have an architectural review board, the South Carolina Department of Archives and History shall serve as the reviewing authority for historic properties.

c. Be a project that commences on or after the date of the adoption of this ordinance.  
(2) Final certification. To be eligible for final certification, a property must have met the following conditions:

- a. The property has received preliminary certification.
- b. The minimum expenditures for rehabilitation as set forth in this article have been incurred and paid.
- c. The completed rehabilitation receives a recommendation for approval from the reviewing authority as being consistent with the plans approved by the reviewing authority during preliminary certification.
- d. All application fees have been paid in full by the applicant.
- e. The property has met all other requirements of this article.

(b) Historic Property Criteria. In order to be eligible for the special tax assessment, the property must meet one of the following criteria:

- (1) Any property included in one of the categories below is considered a Historic Property:
  - a. Listed on the National Register of Historic Places;
  - b. Determined eligible for the National Register by the South Carolina Department of Archives and History;
  - c. A contributing property in a National Register Historic District;
  - d. Is designated as a Historic by Kershaw County Council or their designee.

- (2) All other properties must demonstrate:
  - a. Association with events that have made a significant contribution to the broad patterns of our history; or
  - b. Association with the lives of significant persons in our past; or
  - c. Embodiment of distinctive characteristics of a type, period, or method of construction; or representation of the work of a master; or possession of high artistic values; and
  - d. the property is at least fifty (50) years old.

Property owners seeking eligibility as historic property under subsection (2) must receive a historic property determination by filing an application with the Kershaw County Council.

#### **Section 4. Eligible rehabilitation for historic properties.**

(a) Standards for rehabilitation. To be eligible for the special tax assessment, historic rehabilitations must be conducted according to the following standards:

- (1) The historic character of a property shall be retained and preserved. The removal of historic materials or alterations or of features and spaces that characterize each property shall be avoided.
- (2) Each property shall be recognized as a physical record of its time, place, use, and period of significance. Changes that create a false sense of historical development shall not be undertaken.
- (3) Most properties change over time. Those changes that have acquired historic significance in their own right shall be retained and preserved.
- (4) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property should be preserved.

(5) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new should match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

(6) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

(7) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the historic property and its environment.

(8) New additions and adjacent new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(b) Work to be reviewed. The following work will be reviewed according to the standards set forth above:

- (1) Repairs to the exterior of the designated building.
- (2) Alterations to the exterior of the designated building.
- (3) New construction on the property on which the building is located, including site work.
- (4) Alterations to interior primary public spaces, as defined by the reviewing authority.
- (5) Any remaining work where the expenditures for such work are being used to satisfy the minimum expenditures for rehabilitation, including, but not limited to, alterations made to mechanical, plumbing and electrical systems.

(c) Minimum expenditures for rehabilitation. To be eligible for the special property tax assessment, the owner or the owner's estate must meet the minimum expenditures for rehabilitation:

- (1) The minimum investment shall be \_\_\_\_\_ percent (20% to 100%) of the fair market value of the building which is to be rehabilitated.
- (2) Fair market value means the appraised value as certified to the county by a real estate appraiser licensed by the State of South Carolina, the sales price as delineated in a bona fide contract of sale within twelve months of the time it is submitted, or the most recent appraised value published by the Kershaw County Tax Assessor.
- (d) Expenditures for rehabilitation means the actual cost of rehabilitation relating to one or more of the following:

- (1) Improvements located on or within the historic building as designated.
- (2) Improvements outside of but directly attached to the historic building which are necessary to make the building fully useable (such as vertical circulation) but shall not include rentable/habitable floor space attributable to new construction.
- (3) Architectural and engineering services attributable to the design of the improvements.
- (4) Costs necessary to maintain the historic character or integrity of the building.

(e) Scope. The special tax assessment may apply to the following:

- (1) Structure(s) rehabilitated;



- (2) Real property on which the building is located.
- (f) Time limits. If the project is not complete after two (2) years, but the minimum expenditures for rehabilitation have been incurred, the property continues to receive the special assessment until the project is completed.

## **Section 5. Process for Historic Properties.**

(a) Fee required: Final certification of the property will not be given until the fee has been paid in full by the applicant. Fees shall be established in the Kershaw County Annual Budget ordinance.

(b) Plan required. Owners of property seeking approval of rehabilitation work must submit a completed rehabilitation of property application with supporting documentation to the reviewing authority prior to beginning work. Rehabilitation work conducted prior to approval of the application is done so at the risk of the property owner and may disqualify the property from eligibility for the special tax assessment.

(c) Preliminary certification. Upon receipt of the completed application, the reviewing authority shall issue recommendation as to whether the project is consistent with the standards for rehabilitation. Upon receipt of the reviewing authority's recommendation, the county administrator or designee shall notify the owner in writing. Upon receipt of this determination, the property owner may:

- (1) If the application is approved, begin rehabilitation;
- (2) If the application is not approved, he/she may revise such application in accordance with comments provided by reviewing authority.

(d) Substantive changes. Once preliminary certification is granted to an application, substantive changes must be approved in writing by the county administrator or designee. Any substantive changes made to the property during rehabilitation that are not approved by county administrator or designee, upon review and recommendation of the reviewing authority, are conducted at the risk of the property owner and may disqualify the project from eligibility during the final certification process.

(e) Final certification. Upon completion of the project, the property must receive final certification in order to be eligible for the special assessment. The reviewing authority shall inspect completed project photographs to determine if the work is consistent with the approval recommended by the reviewing authority and granted by the county during preliminary certification. The review process for final certification shall be established by the reviewing authority and may include a physical inspection of the property. The reviewing authority shall notify the applicant in writing of its recommendation. If the applicant wishes to appeal the reviewing authority's recommendation, the appeal must follow the reviewing authority's appeals process. The county administrator or designee may grant final certification only if the following conditions have been met:

- (1) The completed work meets the standards for rehabilitation as established in this article;
- (2) Verification is made that the minimum expenditures have been incurred in accordance with the provisions of this article; and

(3) Any fee(s) shall be paid in full.

Upon receiving final certification, the property will be assessed for the remainder of the special assessment period on the fair market value of the property at the time the preliminary certification was made or the final certification was made, whichever occurred earlier.

(f) Additional work. For the remainder of the special assessment period after final certification, the property owner shall notify the county administrator or designee of any additional work, other than ordinary maintenance, prior to the work beginning. The reviewing authority shall review the work and make a recommendation to the county administrator or designee whether the overall project is consistent with the standards for rehabilitation. The county administrator or designee shall notify the property owner in writing if the overall project is consistent with the standards for rehabilitation. If the additional work is found to be inconsistent by the reviewing authority, the county administrator or designee shall notify the owner in writing within thirty (30) days of its decision to rescind approval. The property owner may withdraw his/her request and cancel or revise the proposed additional work to the satisfaction of the county administrator or designee.

(g) Notification. Upon final certification of a rehabilitated historic property, the Kershaw County Assessor, Auditor, and Treasurer shall be notified by the county administrator or designee that such property has been duly certified and is eligible for the special tax assessment.

(h) Application. Once the final certification has been granted, the owner of the property shall make application to the Kershaw County Auditor for the special assessment provided for herein. The special assessment shall remain in effect for the length of the special assessment period, unless the property shall become decertified under the provisions of this section.

(i) Date effective. If an application for preliminary or final certification is filed on or before May 1<sup>st</sup> or the preliminary or final certification is approved on or before August 1<sup>st</sup>, the special assessment authorized herein is effective for that year. Otherwise, it is effective beginning with the following year. The special assessment only begins in the current or future tax years as provided for in this section. The special assessment period shall not exceed twenty (20) years in length, and in no instance may the special assessment be applied retroactively.

(j) Decertification. Once the property has received final certification and assessed as rehabilitated historic property, it remains so certified and must be granted the special assessment until the property becomes disqualified by any one of the following:

- (1) Written notice from the owner to the Kershaw County Auditor requesting removal of the special assessment;
- (2) Removal of the historic designation by the County Council based upon noncompliance of the criteria established in this Article; or
- (3) Rescission of the approval of rehabilitation by the county, at the recommendation of the reviewing authority, because of alterations or renovation by the owner or the owner's estate which cause the property to no longer possess the qualities and features which made it eligible for final certification. Notification of any change affecting eligibility must be given immediately to the Kershaw County Assessor, Auditor, and Treasurer.

**Section 6. Severability.**

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

**Section 7. Conflicting Provisions.**

To the extent this ordinance contains provisions that conflict with provisions contained in the Kershaw County Code or other County ordinances, the provisions contained in this ordinance supersede all conflicting provisions and this ordinance is controlling.

**Section 8. Effective Date.**

This ordinance is effective upon Third Reading.

**KERSHAW COUNTY COUNCIL**

By: \_\_\_\_\_  
Its: Chairman

ATTEST:

\_\_\_\_\_  
Merri M. Seigler  
Clerk to County Council

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

KERSHAW COUNTY

APPLICATION FOR HISTORIC PROPERTY DESIGNATION

Completed applications, including all required attachments, should be mailed to: Kershaw County Council, Government Center, 515 Walnut Street, Camden, South Carolina 29020.

OFFICIAL USE ONLY: Application # \_\_\_\_\_ Date Received: \_\_\_\_\_

\_\_\_\_ Approval Granted by County Council \_\_\_\_\_ (date granted)

\_\_\_\_ Approval Not Granted by County Council \_\_\_\_\_ (date denied)

Authorized signature \_\_\_\_\_ Date \_\_\_\_\_

**1. PROPERTY INFORMATION**

Name of Historic Property \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_, South Carolina (ZIP) \_\_\_\_\_

**2. OWNER INFORMATION**

Property Owner \_\_\_\_\_ Phone Number: \_\_\_\_\_

Property Owner's Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Ownership of Property: \_\_\_\_\_ Private, \_\_\_\_\_ Public

**3. HISTORIC SIGNIFICANCE** (attach all relevant documentation)

\_\_\_\_ It is at least 50 years old **AND**

\_\_\_\_ Property is associated with events that have made a significant contribution to the broad patterns of our history; **OR**

\_\_\_\_ Property is associated with the lives of significant persons in our past; **OR**

\_\_\_\_ Property embodies distinctive characteristics of a type, period, or method of construction; or representation of the work of a master; or possession of high artistic values.

**4. ATTACH NARRATIVE DESCRIPTION** – Describe the historic and current physical appearance and condition of the property. Describe contributing and noncontributing resources if applicable. Begin with a summary paragraph that briefly describes the general characteristics of the property, such as its location, type, style, method of construction, setting, size, and significant features. Note applicable areas of significance, periods, dates, persons, cultural affiliation, and/or architect/builder. Cite all books, articles, and other sources used in preparing this description.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

KERSHAW COUNTY  
BAILEY BILL – REHABILITATED HISTORIC PROPERTY APPLICATION  
PART A – PRELIMINARY REVIEW FORM

This application is used by the reviewing authority to review rehabilitation work on historic properties, in accordance with South Carolina 1976 Code Section 4-9-195, Kershaw County Ordinance XXXX, and pertinent regulations. Applications must include attachments as listed below and the required review fee to be considered complete. Submit application to the applicable reviewing authority.

### 1. PROPERTY INFORMATION

Property Address \_\_\_\_\_  
City \_\_\_\_\_, South Carolina (ZIP) \_\_\_\_\_  
Property Owner \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Property Owner's Email Address: \_\_\_\_\_  
Applicant: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Applicant's Mailing Address: \_\_\_\_\_  
Applicant's Email Address: \_\_\_\_\_  
Property's Use: \_\_\_\_ Owner-occupied, or \_\_\_\_ Income-producing  
Estimated project start date \_\_\_\_\_ Estimated project completion date \_\_\_\_\_  
Fair market value of property \$ \_\_\_\_\_ (Please attach appraisal or other proof of value)  
Estimated project costs \$ \_\_\_\_\_ (Must meet or exceed 20% of fair market value)

### 2. HISTORIC DESIGNATION STATUS

Check all that apply:

\_\_\_\_\_ The property has been designated as a historic property by the County Council  
\_\_\_\_\_ The property is listed on the National Register of Historic Places  
\_\_\_\_\_ The property is located within an area that has been listed on the National Register of Historic Places as a historic district

### 3. ATTACHMENTS

The following information must be submitted in order to process your application. Please send complete information with the initial submission

\_\_\_\_\_ An original signed and completed application.  
\_\_\_\_\_ A fee of \$150 for single family residences or duplexes or \$300 for all other properties; application fees are non-refundable. Checks should be made payable to the applicable reviewing authority.  
\_\_\_\_\_ Photographs clearly showing the areas to be rehabilitated and overall views of the property.  
\_\_\_\_\_ Plan detailing the proposed Historic Rehabilitation including the following: the areas of the structure or property that are to be rehabilitated; the scope of work to be done; and detailed information on the materials and techniques to be used to comply with the Rehabilitation Standards of the County.  
\_\_\_\_\_ Estimates for proposed work on each architectural feature.  
\_\_\_\_\_ Proof of the fair market value of the property.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Owner's Signature (if not Applicant) \_\_\_\_\_

The above signatures certify that the information in this application is accurate and complete, that the County or reviewing authority may copy any drawings and materials necessary for review, and that pursuant to Section 6-29-1145 of the South Carolina Code this property is not subject to a recorded covenant that is contrary to, conflicts with, or prohibits this activity.

BAILEY BILL – REHABILITATED HISTORIC PROPERTY APPLICATION  
KERSHAW COUNTY – BAILEY BILL – REHABILITATED HISTORIC PROPERTY APPLICATION  
PART A – CONTINUED

**4. DESCRIPTION OF PROPOSED WORK**

Use the spaces below to describe the proposed work. Architectural features would include items such as: roof; exterior brick or siding; windows; doors; sit/landscape features; entrance hall; main stair; parlors; fireplaces/mantles; floors/walls/ceilings; mechanical/electrical/plumbing; etc. Please feel free to make copies of this sheet, and use as many spaces as necessary to fully describe your project.

Architectural feature & approx. date _____  Describe feature & its condition: _____   Photograph No. _____ Drawing No. _____	Describe work and impact on feature: _____     
Architectural feature & approx. date _____  Describe feature & its condition: _____   Photograph No. _____ Drawing No. _____	Describe work and impact on feature: _____     
Architectural feature & approx. date _____  Describe feature & its condition: _____   Photograph No. _____ Drawing No. _____	Describe work and impact on feature: _____     

FOR STAFF USE:

Application #: \_\_\_\_\_ Tax Map #: \_\_\_\_\_ Zoning District: \_\_\_\_\_

\_\_\_\_\_ The work as described in this application and attachments appears to meet the Rehabilitation Standards and would likely receive final approval if completed as described.

\_\_\_\_\_ The work as described in this application and attachments would meet the Rehabilitation Standards if the Special Conditions on the attached sheet are met.

\_\_\_\_\_ The work as described in this application and attachments does not appear to meet the Rehabilitation Standards and is not approved for this property. The attached sheet describes the specific problems with the proposed work.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

KERSHAW COUNTY  
BAILEY BILL – REHABILITATED HISTORIC PROPERTY APPLICATION  
PART A – AMENDMENT FORM

Use this form to propose changes in project work.

**PROPERTY INFORMATION:**

Address: \_\_\_\_\_

Use: \_\_\_\_\_ Owner-occupied, or \_\_\_\_\_ Income-producing

Property Identification Number: \_\_\_\_\_

Fair market value of property: \$ \_\_\_\_\_ Change in estimated costs \$ \_\_\_\_\_

Describe changes in the project work (attach additional sheets if necessary):

**OWNER INFORMATION:**

Name: \_\_\_\_\_ Email Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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FOR STAFF USE:

Application #: \_\_\_\_\_ Tax Map #: \_\_\_\_\_ Zoning District: \_\_\_\_\_

\_\_\_\_\_ The work as described in this application and attachments appears to meet the Rehabilitation Standards and would likely receive final approval if completed as described.

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\_\_\_\_\_ The work as described in this application and attachments does not appear to meet the Rehabilitation Standards and is not approved for this property. The attached sheet describes the specific problems with the proposed work.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## **Bailey Bill Fact Sheet**

The Bailey Bill allows cities and counties in South Carolina to provide property tax incentives for improvements to historic structures. In 2015 Camden City Council approved an ordinance to authorize these tax incentives within the City of Camden. Property owners can have the value of the structure locked in for a period of 15 years for improvements that are approved that meet historic preservation standards. Property owners must invest at least 20% of the fair market value of the structure to qualify.

### **Eligible Properties.**

In order to be eligible to receive the Special Assessment, a property must be granted a historic designation by the City Council based upon one or more of the following reasons:

- (1) the property is at least fifty years old; and
- (2) it also qualifies under one of the following:
  - (a) The property has been designated as a historic property by the City Council;
  - (b) The property is listed on the National Register of Historic Places; or
  - (c) The property is located within an area that has been listed on the National Register of Historic Places as a historic district.

### **Eligible Improvements**

The following work may be counted towards the 20% threshold if it is approved to meet the Secretary of the Interior's Standards for Rehabilitation, together with the Camden Design Guidelines:

- (1) Repairs and alterations to the exterior of the structure;
- (2) New construction; and
- (3) For public or commercial buildings, interior alterations for primarily public spaces.

Projects for consideration under the Bailey Bill must be approved by the Camden Historic Landmarks Commission and City Council **prior** to beginning any work. Please contact Shawn Putnam at 432-2421 or [putnam@camdensc.org](mailto:putnam@camdensc.org) for more information.



## **CHAPTER 123: SPECIAL PROPERTY TAX ASSESSMENT PROGRAM FOR REHABILITATED HISTORIC PROPERTIES**

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### Section

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### **§ 123.01 TITLE.**

This chapter shall be titled "Special Property Tax Assessment Program for Rehabilitated Historic Properties."

(Ord. 2015-017, passed 8-25-15)

### **§ 123.02 AUTHORITY.**

Pursuant to S.C. Code §§ 5-21-140 and 4-9-195, as amended (collectively, the "Bailey Bill"), the city is enacting and establishing its Special Property Tax Assessment Program for Rehabilitated Historic Properties (the "Bailey Bill Program").

(Ord. 2015-017, passed 8-25-15)

### **§ 123.03 DEFINITIONS.**

As used in this Chapter 123, unless the context shall otherwise require, capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Bailey Bill.

(Ord. 2015-017, passed 8-25-15)

### **§ 123.04 CREATION OF SPECIAL TAX ASSESSMENT; TERM.**

(A) Special tax assessment created. A special tax assessment is hereby created wherein real property that has complied with all provisions of the Bailey Bill Program shall receive a property tax assessment for such real property and any improvements thereon that is based upon the fair market value of such property during the year that Preliminary Certification of the historic rehabilitation of

such property is granted (the "Special Assessment").

(B) Term. Any Special Assessment granted pursuant to the provisions of this Bailey Bill Program shall remain the assessment applicable to such historic property for the purposes of ad valorem taxes for a period of 15 years (the "Assessment Term"). If an application for Preliminary Certification is filed by May 1 of any year, or Preliminary Certification is granted by August 1 of any year, the first year of the Assessment Term shall be the year in which such application was filed or Preliminary Certification was granted, as applicable. Otherwise, the first year of the Assessment Term shall be the year following the year in which such application was filed or Preliminary Certification was granted, as applicable.

(Ord. 2015-017, passed 8-25-15)

#### **§ 123.05 ELIGIBILITY.**

(A) Eligible properties. In order to be eligible to receive the Special Assessment, a property must be granted a historic designation by the City Council based upon one or more of the following reasons:

- (1) The property is at least 50 years old; and
- (2) It also qualifies under the following:
  - (a) The property has been designated as a historic property by the City Council;
  - (b) The property is listed on the National Register of Historic Places; or
  - (c) The property is located within an area that has been listed on the National Register of Historic Places as a historic district.

(B) Historic designation. Each property included within the descriptions provided for in division (A) is hereby granted a Historic Designation for the purposes of the Bailey Bill and the bailey bill program (a "Historic Property").

(Ord. 2015-017, passed 8-25-15)

#### **§ 123.06 ELIGIBLE REHABILITATION.**

(A) In order to be eligible to receive the Special Assessment, a property must undergo a Historic Rehabilitation (a "Historic Rehabilitation") that adheres to the Secretary of the Interior's Standards for Rehabilitation, together with the City Design Guidelines described and provided for in § 158.105 of the city's Code of Ordinances (together, the "Rehabilitation Standards").

(B) Rehabilitation work to be evaluated based upon the Rehabilitation Standards. The following elements of any Historic Rehabilitation shall be reviewed according to the Rehabilitation Standards:

- (1) Repairs to the exterior of the designated building;
- (2) Alterations to the exterior of the designated building;
- (3) New construction on the property on which the building is located; and
- (4) For public or commercial buildings, interior alterations primary public spaces.

(Ord. 2015-017, passed 8-25-15)

#### **§ 123.07 MINIMUM EXPENDITURES; FAIR MARKET VALUE.**

In order to be eligible to receive the Special Assessment, the total expenditures that an owner of a Historic Property must incur applicable to a Historic Rehabilitation shall equal or exceed 20% of the fair market value of the historic property at the time in which Preliminary Certification is granted (the "Minimum Expenditure"). Fair market value shall be based upon:

- (A) The appraised value of the Historic Property as certified by a licensed real estate appraiser and as submitted as part of an application for Preliminary Certification;
- (B) The sales price of the Historic Property delineated in a bona fide, arms-length real estate transaction taking place within 12

months of the time that an application for preliminary certification is submitted; or

(C) The most recent appraised value determined by the Kershaw County Assessor.

(Ord. 2015-017, passed 8-25-15)

#### **§ 123.08 REVIEWING AUTHORITY DESIGNATION; JURISDICTION.**

The Historic Landmarks Commission (the "Commission"), as the Board of the city with jurisdiction over Historic Properties pursuant to S.C. Code § 6-29-870, as amended, is hereby designated as the "Reviewing Authority," as such term is used in the Bailey Bill, for the purposes of the Bailey Bill Program. The jurisdiction of the Commission, as provided for in § 158.060 of the city's Code of Ordinances, is hereby expanded, but only for the purposes of the duties prescribed to the Commission pursuant to the Bailey Bill Program, to include jurisdiction over the following:

(A) All properties within the city that have been designated as historic properties by the City Council;

(B) All properties within the city that have been listed on the National Register of Historic Places; and

(C) All properties within the city located within an area that has been listed on the National Register of Historic Places as a historic district.

(Ord. 2015-017, passed 8-25-15)

#### **§ 123.09 APPROVAL PROCESS.**

(A) Application. In order to be eligible to receive the Special Assessment, a Historic Property proposing a Historic Rehabilitation must receive Preliminary Certification by the City Council using the application and review process provided for in this section. Any owner of a Historic Property may apply to the city for Preliminary Certification of a proposed Historic Rehabilitation by submitting an Application for Preliminary Certification (an "Application") to the Planning Department of the city. In order to receive consideration, all Applications must be complete and must include the following fees and other information:

(1) A completed Application;

(2) An application fee (such amount to be determined in the city's annual budget process);

(3) A plan detailing the proposed Historic Rehabilitation detailing the scope of work that is to be performed and demonstrating compliance with the Rehabilitation Standards;

(4) Sufficient evidence of the current fair market value of the Historic Property; and

(5) The total amount that the owner anticipates will be expended on the Historic Rehabilitation.

(B) Commission review. The Commission shall review all Applications at its next regular meeting, provided they have been filed, completed in form and content, at least seven calendar days before the regularly scheduled meeting of the Commission; otherwise consideration shall be deferred until the following meeting. Any applicant may be present at any such meeting to offer further explanation regarding the proposed Historic Rehabilitation and answer any questions of the Commission. The Commission shall affirm that the Minimum Expenditure is expected to be met and that the property meets the standard for a Historic Property. The Commission shall review each Application and proposed Historic Rehabilitation to ensure that the proposed scope of work complies with the Rehabilitation Standards. In the event that all criteria are met, the Commission may recommend to the City Council that the Historic Rehabilitation be approved. In the event that the Commission declines to recommend approval to the City Council, the Commission shall provide the applicant with specific reasons for its denial and the applicant may re-apply under the terms of this section.

(C) Certificate of appropriateness. In no instance shall a recommendation to City Council for the approval of a Historic Rehabilitation be construed as a grant of a certificate of appropriateness by the Commission as required by §§ 158.095 et seq. of the City's Code of Ordinances; however, applicants are encouraged to submit applications for Preliminary Certification and applications for a Certificate of Appropriateness for any Historic Rehabilitation at the same time and the Commission is hereby authorized to defer the consideration of either application for no more than one regularly scheduled meeting in order to permit both applications to be considered in conjunction.

(D) City Council preliminary certification. Upon an application receiving a recommendation of approval by the Commission, the Application shall be considered at the next regularly scheduled meeting of the City Council, provided that sufficient time remains to include such an Application on the upcoming meeting agenda. City Council may, by ordinance, approve the Application and proposed Historic Rehabilitation and, in such event, shall make specific findings of the following facts regarding the following:

- (1) The property is a Historic Property as designated herein;
- (2) The Minimum Expenditures are expected to be met; and
- (3) The fair market value of the Historic Property that is to be used to calculate the Special Assessment.

(E) Substantive changes. If at any time during the application process or after Preliminary Certification is granted, the scope of work considered or approved thereunder is substantively changed in any way, the applicant must promptly notify the city's Planning Department who shall make a determination as to whether such a change required the prior approval of the City Council. In the event that such approval is necessary, such a change may be brought directly before the City Council at its next available regularly scheduled meeting for consideration. Unapproved substantive changes are conducted at the risk of the property owner and may disqualify the property from eligibility for the Special Assessment.

(F) Assessment for two years during work. Once a proposed Historic Rehabilitation has received Preliminary Certification, the Historic Property shall receive the Special Assessment for an initial period of two years during which the proposed Historic Rehabilitation is undertaken. Any such period shall apply towards the total Assessment Term in § 123.04(B) herein. In the event that, after the expiration of two years, the Historic Rehabilitation is not complete but the Minimum Expenditure has been met, the Special Assessment shall continue for such time as it is necessary to complete the Historic Rehabilitation. In the event that after the expiration of two years, the Minimum Expenditures have not been met, the City Council may, at its discretion, disqualify the property from eligibility for the Special Assessment and any monies not collected by the city due to the Special Assessment must be returned to the city and other affected taxing districts.

(Ord. 2015-017, passed 8-25-15)

#### **§ 123.10 REHABILITATION MONITORING; FINAL CERTIFICATION.**

(A) Monitoring. During the period of time during which the Historic Rehabilitation is underway, staff of the city's Planning Department may inspect the work in progress to ensure that the Historic Standards are met. Inspections of any exterior work may be made at any time and inspections of any interior work may be made upon 24 hours notice. The refusal of an applicant to permit inspection shall serve as grounds for the disqualification of the property from eligibility for the Special Assessment. In the event that such an inspection shows substantive deviations from the approved scope of work or a failure to comply with the Historic Standards, the City Council may disqualify the property from eligibility for the Special Assessment.

(B) Final certification. Upon completion of the Historic Rehabilitation, the applicant must notify the Planning Department and request that the property be granted Final Certification. The Planning Department staff shall inspect the Historic Property to ensure compliance with the approved scope of work and the Historic Standards. If compliance is found, the Planning Department staff shall grant Final Certification and shall provide the property owner with sufficient documentation of such Final Certification.

(Ord. 2015-017, passed 8-25-15)

#### **§ 123.11 NOTIFICATION OF THE KERSHAW COUNTY TAX ASSESSOR.**

Upon receipt of Final Certification, it shall be the responsibility of the property owner to provide such Final Certification to the Kershaw County Assessor in order to secure the Special Assessment.

(Ord. 2015-017, passed 8-25-15)

#### **§ 123.12 ADDITIONAL WORK; DECERTIFICATION.**

(A) For the remainder of the Assessment Period, the property owner shall notify the Planning Department staff of any additional exterior work undertaken on the Historic Property, other than ordinary maintenance. The Planning Department staff will present the proposed work to the Commission at its next regularly scheduled meeting who will review the work and determine whether the overall

project is consistent with the standards for rehabilitation. If the additional work is found to be inconsistent, the property owner shall withdraw his request and cancel or revise the proposed additional work.

(B) Once the Historic Property has received Final Certification, it shall remain so certified and must be granted the Special Assessment until the property becomes disqualified by any one of the following:

- (1) The expiration of the Assessment Term;
- (2) Written notice from the property owner to the Planning Department staff and the Kershaw County Auditor requesting removal of the Special Assessment;
- (3) Removal of the historic designation by the City Council; or
- (4) Rescission of the approval of the Historic Rehabilitation by the Commission because of alterations or renovation by the owner or the owner's estate which causes the property to no longer possess the qualities and features which made it eligible for Final Certification.

(C) Notification of any change affecting eligibility must be given immediately to the Kershaw County Assessor, Auditor, and Treasurer.

(Ord. 2015-017, passed 8-25-15)



## Historic Landmarks Commission

### BAILEY BILL HISTORIC PROPERTY REHABILITATION APPLICATION

Property Address: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Property Owner's Email Address: \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Applicant's Mailing Address: \_\_\_\_\_

Applicant's Email Address: \_\_\_\_\_

Estimated Project Start Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

Fair Market Value of Property: \$ \_\_\_\_\_ (Please attach appraisal or other proof of value)

Estimated Project Cost \$ \_\_\_\_\_ (Must meet or exceed 20% of the fair market value)

#### Historic Designation Status

The property must have been granted a historic designation by the City Council. Check all that apply:

\_\_\_\_\_ The property has been designated as a historic property by the City Council

\_\_\_\_\_ The property is listed on the National Register of Historic Places

\_\_\_\_\_ The property is located within an area that has been listed on the National Register of Historic Places as a historic district

#### Attachments

The following information must be submitted along with a completed application:

\_\_\_\_\_ An original signed and completed application

\_\_\_\_\_ An application fee of \$ \_\_\_\_\_

\_\_\_\_\_ Plan detailing the proposed Historic Rehabilitation including the following: the areas of the structure or property that are to be rehabilitated; the scope of work to be done; and detailed information on the materials and techniques to be used to comply with the Rehabilitation Standards of the City.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner's Signature (if not Applicant): \_\_\_\_\_

Co-Owner's Signature (if not Applicant): \_\_\_\_\_

The above signatures certify that the information in this application is accurate and complete, that the City may copy any drawings and materials necessary for review, and that pursuant to Section 6-29-1.145 of SC Code of Laws this property is not subject to a recorded covenant that is contrary to, conflicts with, or prohibits this activity.

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#### FOR STAFF USE

Application #: \_\_\_\_\_ Tax Map #: \_\_\_\_\_ Zoning District: \_\_\_\_\_

\_\_\_\_\_ The work as described in this application and attachments appears to meet the Rehabilitation Standards and would likely receive final approval if completed as described.

\_\_\_\_\_ The work as described in this application and attachments would meet the Rehabilitation Standards if the Special Conditions on the attached sheet are met.

\_\_\_\_\_ The work as described in this application and attachments does not appear to meet the Rehabilitation Standards and is not approved for this property. The attached sheet describes the specific problems with the proposed work.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## Historic Landmarks Commission

### DESCRIPTION OF PROPOSED WORK

Use the spaces below to describe the proposed work. Architectural features would include items such as: roof; exterior brick or siding; windows; doors; site/landscape features; entrance hall; main stair; parlors; fireplaces/mantles; floors/walls/ceilings; mechanical/ electrical/plumbing; etc. Please feel free to make copies of this sheet. Use as many spaces as necessary to fully describe your project.

Architectural feature_ Approximate date of feature_____ Describe feature and its condition     Photograph No. _____ Drawing No. _____	Describe work and impact on feature     
Architectural feature_ Approximate date of feature_____ Describe feature and its condition     Photograph No. _____ Drawing No. _____	Describe work and impact on feature     
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